



1653

Atty. Dkt. No. 073406-0402

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jerry Pelletier, et al.
Title: DNA SEQUENCES FROM
STAPHYLOCOCCUS AUREUS
BACTERIPHAGE 77 THAT
ENCODE ANTI-MICROBIAL
POLYPEPTIDES

Appl. No.: 09/407,804

Filing Date: 09/28/1999

Examiner: S. Tu

Art Unit: 1653

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below. <u>Deborah L. Wykes</u> (Printed Name) <u>Deborah L. Wykes</u> (Signature) <u>October 9, 2002</u> (Date of Deposit)

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OCT 18 2002

TECH CENTER 1600/2900

AMENDMENT TRANSMITTAL

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- [] Small Entity statement is enclosed.
- [X] The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	40	40	= 0	x \$18.00	= \$0.00
Independents:	8	10	= 0	x \$84.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+	\$280.00	= \$0.00
CLAIMS FEE TOTAL:					= \$0.00

- [] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$0.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:			\$0.00

- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

9 October 2002

By

Wesley B. Ames

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Deborah L. Wykes
(Printed Name)

Deborah L. Wykes
(Signature)

10/9/02
(Date of Deposit)

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SUPPLEMENTAL AMENDMENT

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

This communication is responsive to the Office Action dated April 8, 2002 and the Interview on August 8, 2002 concerning the above-referenced patent application.

Please amend the application as follows:

In the Claims:

In accordance with 37 CFR § 1.121, please substitute for original claims ???, the following rewritten versions of the same claims, as amended. The changes are shown explicitly in the attached "Marked Up Version Showing Changes Made."

Please amend the claims by substituting the following substitute amended claims.